

California Department of Insurance

Fraud Division

April 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

April 2011 Workers' Compensation Fraud Convictions

CDI Case Name: Office Solutions Inc.

CDI Case Number: 08GW002400

County: Santa Clara

Defendant: Angelo Pete Athans

City/County of Residence: San Martin/Santa Clara

Conviction Date: 04/07/11

Offense: 1 Count of IC 11880(a) (Premium Fraud), 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)

Amount Allegedly Defrauded: \$276,000

Sentence: 90 Days County Jail (To Be Served by Electronic Monitoring Program Through LCA Client Services), 3 Years Formal Probation, \$90,084.61 Restitution (Paid In Full), \$200 Civil Fine

Case Number: TCM251133

County: Tulare

Defendant: Mark Anthony Cabrera

City/County of Residence: Bismark/Burleigh (North Dakota)

Conviction Date: 04/18/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$2,540 Civil Fine, \$10,000 Criminal Fine (\$8,500 Suspended)

CDI Case Name: Posh Bagel

CDI Case Number: 06GW021501

County: Santa Clara

Defendant: Bruce William Campbell

City/County of Residence: Palo Alto/Santa Clara

Conviction Date: 04/08/11

Offense: 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)

Amount Allegedly Defrauded: \$698,582.50

Sentence: 180 Days County Jail, 3 Years Formal Probation, \$698,582.50 Restitution, \$220 Civil Fine

CDI Case Name: Red Rock Maintenance

CDI Case Number: 10BW004773

County: Marin

Defendant: Jack Joseph Damato

City/County of Residence: San Rafael/Marin

Conviction Date: 04/06/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 100 Hours Community Service by 10/27/2011, 3 Years Supervised Probation, TBD Restitution, \$250 Civil Fine, \$10,000 Criminal Fine (\$7,500 Stayed Pending Successful Completion of Probation, Pay Supervised Probation Cost of \$350

Case Number: TCM250760
County: Tulare
Defendant: Ramon Martinez Estrada
City/County of Residence: Tulare/Tulare
Conviction Date: 04/13/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine (\$8,500 Suspended)

CDI Case Name: El Dorado County Dry Cleaners
CDI Case Number: 10AW018802
County: El Dorado
Defendant: Eun Young Kim
City/County of Residence: El Dorado Hills/El Dorado
Conviction Date: 04/01/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,230 Stayed)

Case Number: 2011009281 MA
County: Ventura
Defendant: Tyrone Joseph Knox
City/County of Residence: Thousand Oaks/Ventura
Conviction Date: 04/18/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Condition Probation, \$1,000 Restitution, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Name: Office Solutions Inc.
CDI Case Number: 08GW002400
County: Santa Clara
Defendant: Shakoor Tauheedah McKneely
City/County of Residence: Los Banos/Merced
Conviction Date: 04/07/11
Offense: 1 Count of IC 11880(a) (Premium Fraud), 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)
Amount Allegedly Defrauded: \$276,000
Sentence: 200 Hours of Volunteer Work (Completed and Served), 6 Months Court Probation, \$90,084.61 Restitution (Paid In Full), \$110 Civil Fine

CDI Case Name: Posh Bagel
CDI Case Number: 06GW021501
County: Santa Clara
Defendant: Jeffrey Michael Ottoveggio
City/County of Residence: Redwood City/San Mateo
Conviction Date: 04/08/11
Offense: 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)
Amount Allegedly Defrauded: \$698,582.50
Sentence: 180 Days County Jail, 3 Years Formal Probation, \$698,582.50 Restitution, \$220 Civil Fine

Case Number: TCM251141
County: Tulare
Defendant: Anthony Paul Russo
City/County of Residence: Exeter/Tulare
Conviction Date: 04/18/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 3 Days County Jail, 36 Months Summary Probation, \$110 Civil Fine, \$210 Criminal Fine

Case Number: BA369529
County: Los Angeles
Defendant: Virginia Valencia Salgad
City/County of Residence: Not available at this time
Conviction Date: 04/04/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$1,000
Sentence: 3 Years Formal Probation, \$1,000 Restitution, \$200 Civil Fine (Stayed)

CDI Case Number: 09BW022997
County: San Francisco
Defendant: Hyung Goo Shim
City/County of Residence: San Francisco/ San Francisco
Conviction Date: 04/25/11
Offense: 1 Count of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$140,000
Sentence: 1 Year County Jail, 5 Years Probation, \$111,357.95 Restitution, \$800 Civil Fine, Up to an amount of \$50 per month Probation Costs, Order Revoking Contractor's License Signed and Filed in Court